

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

ALIGN TECHNOLOGY, INC.,

Plaintiff,

v.

**CLEARCORRECT OPERATING, LLC,
CLEARCORRECT HOLDINGS, INC., &
INSTITUT STRAUMANN AG,**

Defendants.

**CLEARCORRECT OPERATING, LLC,
CLEARCORRECT HOLDINGS, INC., &
STRAUMANN USA, LLC,**

Counterclaim-Plaintiffs,

v.

ALIGN TECHNOLOGY, INC.,

Counterclaim-Defendant.

Case No. 6:24-cv-00187-ADA-DTG

JURY TRIAL DEMANDED

PATENT CASE

**DECLARATION OF OMAR KHAN IN SUPPORT OF DEFENDANTS' AND
COUNTERCLAIM PLAINTIFFS' REPLY IN SUPPORT OF THEIR MOTION FOR A
PROTECTIVE ORDER UNDER FED. R. CIV. P. 26(C)**

I, Omar Khan, hereby declare the following:

1. I am an attorney admitted to practice in the State of New York. I am a partner at the law firm of Wilmer Cutler Pickering Hale and Dorr LLP ("WilmerHale"), counsel for ClearCorrect Operating, LLC, ClearCorrect Holdings, Inc., Institut Straumann AG, and Straumann

USA, LLC (collectively, “ClearCorrect”). I provide this declaration in support of Defendant’s Motion for a Protective Order Under Fed. R. Civ. P. 26(c).

2. Unless otherwise indicated below, the statements in this declaration are based on my personal knowledge and my review of the documents cited herein. If called to testify as a witness, I could and would competently do so under oath.

3. Attached as **Exhibit 4** is a true and correct copy of the protective order that was filed in *Barrella v. Village of Freeport*, 2:12-cv-00348 (E.D.N.Y.) at Dkt. 14-2 and discussed in *Barrella v. Village of Freeport*, 2012 WL 6103222 (E.D.N.Y. Dec. 8, 2012).

4. Attached as **Exhibit 5** is a true and correct copy of the protective order that was filed in *Pictsweet Co. v. R.D. Offutt Co.*, 3:19-cv-00722, (M.D. Tenn.) at Dkt. 37-7 and discussed in *Pictsweet Co. v. R.D. Offutt Co.*, 2020 WL 12968432, *4 (M.D. Tenn. Apr. 23, 2020).

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on September 23, 2024.

/s/ Omar Khan

Omar Khan